

PROVO RIVER DISTRIBUTION SYSTEM

Minutes of Special Meeting of Board of Directors

August 17, 1965

Pursuant to the Articles of Association, as amended, and due notice having been given to, and received by, all members thereof, the Board of Directors of the Provo River Distribution System convened in a Special Meeting at 2 p.m. on August 17, 1965, in Room 200 of the Utah County Courthouse at Provo, Utah.

Chairman Niels Andersen presided.

On roll call the following were present:

J. Edwin Ure	Group 1 - Kamas Valley Canal Groups
Sherman A. Giles	" 2 - Upper Provo, East Heber Valley
Floyd Bonner	" 3 - Upper Provo, West Heber Valley
Glenn A. Wright	" 4 - Provo City Canals
Stanley Roberts	" 5 - East Provo Canals
Niels Andersen	" 6 - Provo Bench Canal
Elmer A. Seal	" 7 - Provo Reservoir Water Users Co.
Hampton C. Godbe	" 8 - Provo River Water Users Assn.
Ernest Knight	" 9 - Upper Provo River Individual Rights

Also present were:

Hubert C. Lambert	Utah State Engineer
Donald C. Norseth	Distribution Engineer, Office of the State Engineer
Frank Reese	Business Manager, Office of the State Engineer
Wallace R. Wayman	Provo River Commissioner

ADOPTION OF MINUTES:

Chairman Andersen inquired if the Board wished to act upon the Minutes of January 13 and 14, 1965, or to defer action until the next annual meeting in January of 1966.

Secretary Godbe thereupon reported that copies of both sets of Minutes had been mailed to all members of the Board

promptly after the respective meetings, and suggested that unless the members had questions or corrections to offer, a reading of the Minutes might be dispensed with in the interest of saving time, if the Board wished to act upon them now.

No corrections having been offered, Director Bonner moved that the two sets of Minutes be adopted. The motion was seconded by Director Roberts, and adopted with all present voting aye.

RESIGNATION OF I. F. BAUM AS DEPUTY COMMISSIONER:

Chairman Andersen reported that the purpose of the Special Meeting was to act upon the resignation of I. F. Baum as Deputy Commissioner, and to select a successor for appointment by the State Engineer. He reported that Mr. Baum had been taken suddenly ill several days ago, and was under doctor's orders to give up his work as a Deputy. He reported also that with Mr. Baum incapacitated, Sherman Giles began full-time work on August 10 as temporary replacement for Mr. Baum.

There followed considerable discussion, in which it was noted that Mr. Baum has been a Deputy Commissioner for 44 years -- a notably long period of continuous service -- while Mr. Giles began training, on a part-time basis, as a replacement Deputy about three years ago.

The first order of business being to act upon the tender of resignation by Mr. Baum, Director Bonner moved adoption of the following resolution:

(58) Resolved, that the resignation of I. F. Baum as Deputy Commissioner be accepted, with regret at the necessity so to do.

The motion was seconded by Director Roberts, and adopted with all present voting aye.

RESOLUTION OF APPRECIATION FOR SERVICES:

Without formal motion, but with the unanimous vote of the Board, the following resolution was adopted to express appreciation for Mr. Baum's long service, and, prior to its adoption, State Engineer Lambert requested that the appreciation of the State Engineer's office also be included:

RESOLUTION OF APPRECIATION

WHEREAS, illness has compelled I. F. BAUM to resign as the Deputy Commissioner on the Provo River, serving water users in the Heber Valley reaches, and upper sections of the river; and,

WHEREAS, "IKE BAUM" -- as he is affectionately known to his many friends and associates -- has devoted more than 44 years in service to the water users, performing his duties faithfully and well at all times; and,

WHEREAS, during all of this extraordinarily long period of service, IKE BAUM always strove to be fair and equitable to all, and to settle for the good of all the disputes inevitably confronting a water master in the course of his work, each year; and,

WHEREAS, as the duly appointed representatives of the users of Provo River water, the members of the Board of Directors of the Provo River Distribution System are well aware of the excellence of IKE BAUM'S work over the years; and,

WHEREAS, since the Deputy Commissioner is an appointee of the State Engineer of Utah, acting response to nomination by the river system Board of Directors, and hence that Office well knows of IKE BAUM'S unusually fine record, and with the Office of the State Engineer being officially represented at the time of consideration of this Resolution;

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Provo River Distribution System, for itself and on the behalf of all of the users of Provo River water, and Hubert C. Lambert, for himself as the State Engineer and on the behalf of his Staff, do hereby express sincere regret at the necessity for IKE BAUM to resign as Deputy Commissioner, and extend to him best wishes for a speedy, and complete, recovery of his health; and that the Secretary is hereby instructed to forthwith deliver to him an attested copy of this Resolution of Appreciation for a good job, well done.

DONE by unanimous vote of all members of the Board of Directors, and by the State Engineer of Utah and his associates, in special meeting assembled this 17th day of

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August, 1965, at Provo, Utah.

The Chairman requested Secretary Godbe to prepare the Resolution in attractive form, so it be may be delivered to Mr. Baum at the earliest practicable date.

EFFECTIVE DATE OF BAUM RESIGNATION:

In view of Mr. Baum's extraordinarily long record of faithful service, it was the view of all present that something tangible should be done for Mr. Baum, in addition to presentation to him of the Resolution of Appreciation. In the ensuing discussion of a suitable gift, Mr. Reese pointed out that the State of Utah has group life insurance coverage of such nature that, if the Board were to retain Mr. Baum on the System payroll until Sept. 30, 1965, it would enable him to have \$5000 worth of life insurance for an entire year, without any cost to him.

Inquiry then was made if the River System's financial position would permit adoption of Mr. Reese's suggestion, and Secretary Godbe replied that funds are ample, since the System maintains a reserve fund of about \$8,000.

After further discussion, Director Godbe moved adoption of the following Resolution:

(59) Resolved, that the resignation of I. F. Baum as Deputy Commissioner be accepted as of September 30, 1965, to enable Mr. Baum to have the benefit of the State's group life insurance coverage, as above set forth.

The motion was seconded by Director Seal, and adopted with all present voting aye.

SHERMAN GILES NOMINATED AS DEPUTY:

In considering a nomination for a replacement Deputy it was the view of all present, and the recommendation also of Commissioner Wayman, that Sherman A. Giles was the only logical choice, in view of his having been specially trained the past three years expressly for that purpose. In response to question, Mr. Giles expressed willingness to accept the position, if he were to be nominated, and appointed by the State Engineer.

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The question of salary then arose. Since Mr. Giles, if appointed, would begin work as one with experience and not as a beginner, it was felt by all that his salary should not by any means be the minimum; however, there also was a feeling that since it took 44 years for Mr. Baum to attain his 1965 salary of \$375 a month, it did not seem proper to pay the top salary at the outset of his full-time work, or until his abilities in full-time work have been tested. In this view, Commissioner Wayman recommended that Mr. Giles' beginning salary be set at \$350 a month.

Director Wright observed that with the m irrigation season nearing an end, and with the annual meeting not too distant, the question of additional pay for Mr. Giles could be considered at the January, 1966 Board meeting.

In response to question, Mr. Giles said the Board's offer on these terms would be acceptable to him, and Director Knight thereupon moved adoption of the following resolution:

(60) Resolved, that Sherman A. Giles shall be, and he is hereby, nominated for appointment by the State Engineer as a Deputy Commissioner for the Provo River, at a salary of \$350 a month, effective as of Aug. 10, 1965, together with reimbursement for expenses as heretofore provided by the Board of Directors for the Deputy Commissioner.

The motion was seconded by Director Godbe, and adopted with all present voting aye.

GILES APPOINTED BY STATE ENGINEER:

State Engineer Lambert thereupon informed the Board that he was pleased with the nomination, and that the appointment of Mr. Giles as Deputy Commissioner would be duly made as of August 10, 1965, and at the salary recommended by the Board.

CONFLICT-OF-INTEREST QUESTION RESOLVED:

At this point Mr. Giles asked if the Board felt he should resign as a Director, to avoid any allegation of a conflict-of-interest arising from his also being a Deputy Commissioner.

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Discussion followed, in which it was the view of all present that there would be no conflict, since there is ample precedent for a Commissioner or his Deputy also to be a member of a river system's board of directors, the fact of this having been confirmed by State Engineer Lambert. In addition, Director Ure observed that if the East Heber Valley water users wish to replace Mr. Giles with another, they will have full opportunity to do so at their forthcoming December annual meeting. It then was agreed informally that Mr. Giles should continue as a Director, unless and until he is replaced by a duly qualified successor.

VIVIAN PARK RECORDER:

Director Seal asked why no recorder has been installed at Vivian Park for Appl. No. 9580 measurements, although funds for the purpose twice have been appropriated by the Board.

Commissioner Wayman replied that as shown in the records (Minutes, Jan. 13, 1965, Page 5), a misunderstanding existed in 1964, while in the present year it was discovered that a used recorder no longer is available at a \$225 cost, the Utah Water & Power Board having purchased from the U. S. Geological Survey all such recorders it had on hand. A new recorder would cost about \$450, he reported.

After discussion, it was the view of all present that the "option" held by the river system on one recorder should be brought to the Water & Power Board's attention, with a request that one recorder be released by it for River System use. The Commissioner and Chairman were requested to so act.

WEIR REPAIR, MIDWAY BRIDGE: Progress Report

Commissioner Wayman reported that repair of the Midway weir (Minutes, Jan. 13, 1965, Page 5) will be effected by the Provo River Water Users Association at the end of the irrigation season, as pledged.

INDEXING OF MINUTES: Work authorized

Secretary Godbe reported that since the System now has accumulated about ten sets of Minutes since its reorganization in 1960, it should consider the advisability of indexing them for future reference to actions taken, on an index system capable of continual addition. If indexing is desired, he said, work should be begun before too many more Minutes have accumulated. He estimated that it would take two days or so of work to devise, and complete such an index.

After discussion, Director Seal moved adoption of

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the following resolution:

(61) Resolved, that the Secretary proceed with indexing of the Minutes, with the expense thereof to be reimbursed to him upon due billing, in usual form.

The motion was seconded by Director Wright, and adopted with all present voting aye.

QUESTION REGARDING SECRETARY-SHIP:

Inquiry was made of Mr. Godbe if he would be available for continued work as a member of the Board of Directors, and as Secretary, due to his recent termination of membership on the Provo River Water Users Association Board.

Mr. Godbe said that continuance of his service would depend on wishes of the Association, and as to whether or not his future personal business would permit it. At present, he said, members of the Association Board have expressed the hope that he would continue to be its representative, and that he was willing to so continue as long as circumstances will permit.

ADJOURNMENT:

There being no further business, the Board adjourned subject to call by the Chairman. The time was 3:15 p.m.

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Hampton C. Godbe
Secretary